

## **Minutes of the Land Use, Parks and Environment Committee - November 2, 2004**

The meeting was called to order at 8:46 a.m. by Vice-Chair Pavelko in Chair Kolb's absence.

**Present:** Vice-Chair Dan Pavelko, County Board Supervisors Kathleen Cummings (arr'd 8:50 a.m.), Scott Klein (arr'd 8:49 a.m.), Bill Kramer, Daniel Pavelko, Vera Stroud; **Absent:** Walter Kolb and Pauline Jaske

**Staff Present:** County Board Chairman Jim Dwyer, Legislative Policy Advisors Mark Mader and Dave Krahn, Legis. Associate Sandra Meisenheimer

**Also Present:** Parks and Land Use Director Dale Shaver, Parks System Mgr. Jim Kavemeier, Senior Planner Kathy Moore, County Board Supervisors Bonnie Morris and Bill Mitchell

**Public Present:** Allan Bohachek of Hartland, Bill Peebles of Oconomowoc, Donald Camplin of Dousman, Ken Zettelmeier of Waukesha, Arthur Seidel of Brookfield, Jim Fendry (Director) of Wis. Pro-Gun Movement, Jim McNelly of State of Wisconsin DNR, Steve Schmuki of Waukesha County Environmental Action League (WEAL), Glenn Shong of Sullivan, Joyce Salzmann of Waukesha

### **Approve Minutes of October 19, 2004**

**Motion:** Kramer moved, second by Stroud, to approve the minutes of 10/19/04. **Motion carried 4 – 0.**

### **Read Correspondence**

Pavelko advised of a State of Wisconsin DNR Public Notice of Intent to Modify a Wisconsin Pollutant Discharge Elimination System, Permit No. WI-0029998-07-1; Permittee: New Berlin Public Schools, 4333 S. Sunny Slope Road, New Berlin, WI 53151; Discharge occurs: New Berlin Public Schools at 18695 W. Cleveland Ave., New Berlin.

### **Meeting Approvals**

**Motion:** Stroud moved, second by Cummings, to approve attendance to the meetings on 11/8/04 (Town of Summit Town Hall) and 11/15/04 (Summit Elementary School) in regard to the Aurora issue. **Motion carried 5 – 0.**

### **Discuss and Consider Hunting on County Park Lands**

Jim McNelly of the DNR read the letter (see attachment) he wrote to William Peebles of the Waukesha County Conservation Alliance in regard to some insights from the DNR on hunting as a tool and a management issue.

Allan Bohachek of Hartland stated the Alliance is proposing and asking that the Waukesha County Board of Supervisors allow public hunting on public lands in Waukesha County as appropriate and as determined by the county in consultation with the DNR safety specialist, DNR game manager for Waukesha County, Waukesha County Sheriff and representatives of the Waukesha County Conservation Alliance.

Bill Peebles of Oconomowoc spoke on safe hunting. He read a letter (see attachment) from John Plenke (DNR Safety Warden) who said that there only have been two hunting related incidents reported involving the discharge of a firearm or bow in 15 years and those were in 1993.

Art Seidel of Brookfield, Director of the Waukesha County Conservation Alliance and Director of the Wisconsin Wildlife Federation, referred to articles in the Milwaukee Journal Sentinel of

October 24 regarding deer hazards in Waukesha County. He stated there were 815 collisions reported between deer and cars in 2003. However, the DNR estimates the actual number of collisions is at least twice that amount. In the last 5 years the estimate is 7,000 collisions. Of those accidents there were 105 injuries and 1 death. He stated we owe it to the people of Waukesha County to allow hunting on park lands many of which are good for safe hunting.

Shaver stated if the committee wants to do something today, the staff recommendation would be to give this issue back to the department and, yes, they do know what the county owns. There are a couple of issues. Shaver said they would form a focus group of DNR safety staff, municipal law enforcement representation, representatives from the hunting communities, representatives from other park users, etc., to study the issues (accesses when land abuts county highways, life-time tenancy of former land owners, wildlife management).

Cummings asked about a timetable. Shaver said after the first of the year a decision could be made on formulating the focus group.

Jim Fendry, Director of Wisconsin Pro-Gun Movement, Greendale, WI, stated the issue before you is whether you actually allow the discharge of firearms, bows and arrows, etc. for the purpose of hunting on park lands. Also, with the few accidents that take place, the type of firearm has absolutely nothing to do with it. Additionally, the reason we hear about deaths by firearms particularly in hunting is because they are so very rare. He gave an example of a dangerous situation that occurred at a baseball game.

Bill Moore of New Berlin said he represents an organization that includes hunters, fishermen and others, namely the Great Waters Group of the Sierra Club, which has 3,500 members in Milwaukee and Waukesha counties. The Sierra Club is not opposed to hunting but believes there is a time and place for it. This proposal causes them concern. The hunters say they would only hunt in certain areas but those are the very areas sought out for their tranquility and beauty. Therefore, the Sierra Club recommends that no hunting be allowed on parcels that are too small or too close to dwellings, and hunting should only be allowed for a single species when that species become a detriment to its environment due to over population.

Glenn Shong of Sullivan (Secretary of Waukesha County Conservation Alliance) distributed a map showing a parcel along a river in the Town of Ottawa of about 13 acres that Waukesha County owns and no one knows about. He stated hunting would be appropriate for parcels like this.

Steve Schmuki, President of WEAL (Waukesha County Environmental Action League), distributed a letter (see attachment) from him to Director Shaver. He stated that hunting conflicts with other uses of the parks. Hunting is generally not compatible with these kinds of uses and would make the parks unsafe. He's not here to challenge the statistics presented, but people who cross country ski, snow shoe, bird watch or a hike in the woods will experience a certain level of discomfort when hunting is going on. He said WEAL would be happy to provide a member to any task force that the county is setting up.

Ken Zettelmeier of Waukesha stated the important thing to remember is the hunters are not asking to hunt in every county park but to hunt on the parcels that have not been perfected and can be used safely.

Joyce Salzman of Waukesha stated she is a member of the Ecology Association of New Berlin and feels there really are no parcels used safely as far as the wildlife is concerned. We take so much from our wildlife and should be giving something back.

Allan Bohachek stated what we must decide is if an old ordinance needs changing to be more flexible and meet the needs of today. We're not asking if you agree with hunting or do not agree.

Donald Camplin of Dousman and the Waukesha County Conservation Alliance stated that he not only hunts but also cross country skis, and the kids growing up need more area to hunt.

**Motion:** Cummings moved, second by Stroud, to consider hunting on Waukesha County park lands and refer to the Parks and Land Use Department staff for a recommendation after due consideration. **Motion carried 5 – 0.**

**Consider Proposed Ordinance: 159-O-069 Amend the Town of Oconomowoc District Zoning Map of the Waukesha County Zoning Code for the Town of Oconomowoc by Conditionally Rezoning Certain Lands Located in Part of the NE ¼ of Section 31, T8N, R17E, Town of Oconomowoc, Waukesha County, Wisconsin, from the A-T Agricultural Land Preservation Transition District to the R-1 Residential and A-1 Agricultural Districts (CZ-1547)**

Moore reviewed the ordinance and staff recommendation with the committee. The proposed land use is for a residential lot, approximately 1.47 acres in size, to be created along Reddelien Road. The petitioner would construct a single-family residence on the newly created parcel for himself and his wife and sell the remnant 9.45 acre parcel, containing the residence and accessory buildings, to his daughter.

**Motion:** Kramer moved, second by Cummings, to approve Ordinance 159-O-069. Klein said he understands that it's conditioned upon the Town of Oconomowoc designating this parcel as Low Density Residential, but does that mean the whole area? Moore said it is for the 1.47 acre lot. Klein said it seems to him that the Town should make a determination about the whole area rather than part of a parcel. Moore said it will eventually be part of the border agreement with the City of Oconomowoc. **Motion carried 5 – 0.**

**Southeastern County Lake Management District (Phantom Lake, Eagle Springs Lake, Springbrook Lake) Update by Karen McNelly**

This item was held over.

**Motion to adjourn:** Kramer moved, second by Cummings, to adjourn the meeting at 10:00 a.m. Motion carried 5 – 0.

Respectfully submitted,

Pauline T. Jaske  
Secretary

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